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Secretary
Federal Trade Commission
6th & Pennsylvania Ave. NW
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Re: 16 CFR Part 423: Care Label Rule

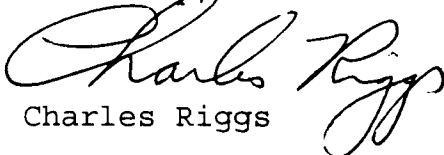
Attached are my comments regarding the proposed amendment to the Care Labeling Rule. I am a professor in the Department of Fashion and Textiles at Texas Woman's University, Denton, TX. I have been involved in garment care research since 1974.

I believe it is in the best interest of the consumers to have care labels that include washing instructions, and for sensitive fabrics also dry cleaning instructions. Dual labeling provides consumers with the most choices in determining how to best care for their garments.

I believe it is premature to allow or require a wet clean instruction. The term is not yet defined, and there is currently no test method for a clothing manufacturer to use to determine if wet cleaning can be done successfully on a particular garment.

Thank you for the opportunity to comment.

Sincerely,


Charles Riggs

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Enclosure

Comments on Public Workshop on Care Labeling Rule from Charles L. Riggs

I attended and participated in the FTC Care Labeling Workshop on January 29, 1999.

In reflecting upon the workshop discussions, I came to the conclusion that FTC had yielded to pressure from environmental groups to take action that would be harmful to the drycleaning industry and possibly the environment. In opening comments, reference was made to EPA's goal of "reducing exposure to perchloroethylene" this was quickly followed by statements from FTC of "reducing the use of perchloroethylene". These are very different statements and may not be consistent with the best interest of the consumer or the environment. The drycleaning industry has drastically reduced its consumption of perchloroethylene, perc. This is certainly in the best interest of the environment since the perc consumed in an existing machine is proportional to the amount released to the environment. However, I doubt that the amount of clothing that is being cleaned in perc has decreased and cleaning in perc may, in fact, be environmentally sound practice. The reduced consumption of perc, reduced exposure, has been accomplished by higher and higher recovery and reuse rates through better machines and better management. Other cleaning fluids are also being used. Petroleum and synthetic hydrocarbon cleaning fluids appear to be enjoying resurgence in popularity.

On the surface, it would seem that a process of using water to clean clothes would innately be more environmentally friendly than a process that uses solvents (perchloroethylene being one of the choices). However, one could also state that an environmentally friendly method of cleaning clothes would be a closed unit that recovers and reuses almost all of the cleaning liquid with soil and spent detergents being isolated in a concentrated form for proper disposal.

As I stated in the meeting, I don't know which is better for the environment and I doubt that anyone has a completely defensible answer at this time. It may be determined in the future that home laundering is the least desirable. It can clearly be established that the consumption of water per pound of cleaning is highest with top loading domestic washers that have dominated the US market for many decades. In spite of claims about the environmental safety of detergents, concern must still be given to the nature of soils, fugitive dyes, spot removers, etc. that may be part of the waste stream from any cleaning process. Little concern has been expressed with regard to potential future water shortages.

The above does not directly relate to the subject of the workshop but seemed to be a driving factor for change. With regard to the subjects discussed, I offer the following comments:

A. The home washing instruction.

I believe the real issue is "low labeling" and the desire of clothing manufactures to minimize their liability for poor cleanability. I suspect a more prevalent abuse is labeling items "hand wash" that can be machine-washed gentle". One appliance

manufacturer even has a machine with a cycle identified as "hand wash". How can you define hand wash as a machine method?

Garments labeled "dryclean" may also be washable. This is allowed under the current rule; but in many cases may be "low labeling". However, there are very few products that do not last longer, retain color better, and maintain a like new appearance longer when drycleaned professionally than when laundered at home. A consumer's or professional's decision to wash an item labeled dryclean is apparently not uncommon but carries some risk of poor product performance. The cost of the garment is probably a major consideration in deciding to risk another care procedure. A consumer might wash a product costing less than \$50, but would probably not take the risk if the item cost several hundred dollars. This risk may be necessary to remove many types of water based soils. Likewise, drycleaning may be preferred for a washable item containing many oily type soils. Dual labeling seems the only answer that provides the best information, and the most options, to whomever is doing the cleaning. Manufacturers are concerned about the increased cost of this testing. It probably indicated a lack of proper testing for existing labels. The cost per garment sold should be relatively small and would represent a great return of value to the consumer.

Some manufacturers have even admitted to using the "dryclean" label if they have a question about the product's performance. This has allowed them to not do proper testing and pass some of the liability for poor performance to the professional drycleaners.

Any change in this part of the rule will require more testing by the manufacturers and would probably give them the data to provide dual labels. How much extra service life, color retention, etc. would be necessary to justify the selection of a dryclean label vs. a home wash label if both methods are reasonable?

B. The "Professionally Wetclean" Instruction.

Professionally wet cleaning has been practiced by the drycleaning industry as long as the industry has existed. Wet cleaning has always been used on garments where soil type required the use of water. The only thing new to the industry is equipment that allows this to be done with more automation. It has not been established how machine wet cleaning compares to wet board or wet tub cleaning in productivity or economics. If a garment can be successfully machine wet cleaned, I am certain a properly trained professional can also wet clean it successfully by other water-based methods.

To require a "Professional Wetclean" instruction seems irresponsible and premature. At this time, there is no accepted definition or test method. How could a manufacturer ever be expected to determine if wet cleaning is appropriate? The decision to wet clean has always been best made by the professional cleaner who,

based on knowledge of textiles and soils, can determine if the garment is a reasonable risk for wet cleaning.

The statement included with the workshop notes that had been prepared by Peter Sensheimer and Robert Gottlieb of the Pollution Prevention Education and Research Center makes many valid points; however, several inappropriate justifications are stated:

1. The first three statements are best resolved with eventually having dual labeling required – but only after wet cleaning is properly defined and supported by a test method.
2. Requiring a wet clean label as a method of reducing perc use is unfairly attacking the drycleaning industry. Reduction of perc use can also be accomplished by: (1) newer perc machines that recycle and reuse higher percentages of perc, (2) use of other existing solvents, including petroleum and synthetic hydrocarbons, and (3) new technologies under development.
3. The motivation to develop testing procedures and test method should never be created by requiring a care label that has no definition. New technologies should be defined and test methods developed before ever receiving consideration as a term for care labels.

If new technologies are to be competitive with existing technology, it should be the responsibility of those developing the technology to provide definitions and test methods. If manufacturers of wet cleaning machines and chemicals believe they have a viable substitute for all forms of drycleaning, they should promote the technology as a substitute and be willing to assume the liability for poor performance of products labeled for dryclean and dryclean only.

Even after a test method is developed, dual labeling would still be in the best interest of the consumer and professional clearer. I urge the commission to not allow or require a wet clean label at this time.